



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 155
Seattle, WA 98101-3123

OFFICE OF
ENVIRONMENTAL
CLEANUP

June 21, 2019

Bill Lyle
Alternate Project Coordinator
Newmont Mining Corporation
P.O. Box 250
Ford, WA 99013

Re: Explanation of Significant Difference (ESD) – Surface Materials Cleanup Levels

Dear Mr. Lyle:

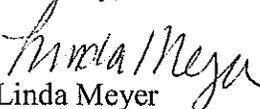
This letter is to respond to Newmont's ESD request dated July 24, 2018. As you are aware EPA met with Newmont and Newmont's technical team a number of times since July 24, 2018 with our last discussion on April 11, 2019. During these meetings Newmont presented data collected during the Remedial Investigation as well as new data in order to characterize background.

One point I would like to clarify after review of the EPA (Keeley) Memorandum is that the memorandum was prepared in order to verify the concentrations used for the background levels and explain what samples were used in the background calculation. This memorandum was not compiled to establish the basis for an ESD or support a change in background concentration.

As we have discussed, EPA does not plan to change the background concentrations that were developed during the Remedial Investigation/Feasibility Study effort for this project. As you are aware, EPA and the Tribes are open to discussing how compliance with the background standard is achieved in order to avoid cleaning up unimpacted areas of the site.

Thank you for your continued cleanup work at the Midnite Mine Superfund Site.

Sincerely,


Linda Meyer
Remedial Project Manager

cc (electronic copies only)

Brian Crossley, Spokane Tribe Natural Resource Department
BJ Kieffer, Spokane Tribe Natural Resource Department
Brian Cleary, The Cleary Law Group, P.C.